

GAIN: THE BRIDGE TO INDEPENDENCE

TABLE OF CONTENTS

CHAPTER 400 - EXEMPTIONS AND GOOD CAUSE

410	<u>OVERVIEW</u>
411	<u>KEY POINTS</u>
412	<u>POLICY</u>
.1	<u>Exemption Documentation</u>
.11	<u>Written Third Party Documentation</u>
.12	<u>Verbal Third Party Documentation</u>
.13	<u>PA 853, Affidavit</u>
.2	<u>Age-Related Exemptions</u>
.21	<u>Code 01: Youth under Age 16</u>
.22	<u>Code 02: Youth Age 16 through 17, Full-Time Student</u>
.23	<u>Code 04: Age 60 or Older</u>
.24	<u>Code 06: 18-Year Old Child in School Full-Time (Non-Parent)</u>
.3	<u>60-Month Clock-Stopper Exemptions</u>
.31	<u>Code 05: Incapacity</u>
.311	<u>Documentation</u>
.312	<u>Disability Exemptions Are Not Automatic</u>
.313	<u>Medical Exemption Approval</u>
.314	<u>Supplemental Security Income Advocacy Program (SSIAP)</u>
.315	<u>Supplemental Security Income Advocacy Mail Inquires</u>
.316	<u>Supplemental Security Income Advocacy Phone Inquires</u>
.32	<u>Code 07: Provides Continuous Care for an Ill Household Member</u>
.33	<u>Code 14: Non-Parent Relative Caring for a Child who is a Dependent or a Ward of the Court or at Risk of Being Placed in Foster Care</u>
.331	<u>Dependent or Ward of the Court</u>
.332	<u>Child at Risk of Placement in Foster Care</u>
.4	<u>Welfare-to-Work Participation Exemptions</u>
.41	<u>Code 08: Exemption - Parent/Relative of a Child under Age One</u>
.42	<u>Code 09: Pregnancy</u>
.43	<u>Code 10: Single Parents Working 32 Hours or More per Week and Earning at Least State Minimum Wage</u>
.431	<u>Qualifying Employment</u>
.432	<u>Minimum Wage Requirement</u>
.433	<u>Self-Employment</u>
.434	<u>Net Earnings Calculation for Self-Employment</u>
.435	<u>Adding New Employments to GEARS</u>
.436	<u>Transfer of CalWORKs Participant's Employment Information from LEADER to GEARS</u>

CHAPTER 400 - EXEMPTIONS AND GOOD CAUSE

	<u>.44 Code 12: Limited Exemption - Parent/Relative of a Child under Age Six Months</u>
	<u>.45 Code 13: Working 35 Hours or More per Week and Earning at Least State or Federal Minimum Wage</u>
<u>.5 Exemption Guidelines</u>	
	<u>.51 Exemption Processing</u>
	<u>.511 Exemption Responsibilities</u>
	<u>.512 LEADER Employment Information Transfer to GEARS</u>
	<u>.52 Exemption Processing for GAIN Contractors</u>
	<u>.53 Exemption Processing for Refugee Employment Program (REP) Contractors</u>
<u>.6 Expiring Exemptions</u>	
	<u>.61 Designated Exemption Worker (DEW) Outreach</u>
	<u>.62 GEARS Updates</u>
<u>.7 Time Limit Extenders</u>	
	<u>.71 Extender Criteria</u>
	<u>.72 Domestic Violence</u>
	<u>.73 Time Limit Exemption/Extender Review</u>
	<u>.731 Time Limit Liaison</u>
	<u>.732 Records Retention</u>
	<u>.733 Elimination of Records</u>
	<u>.74 Time Limits on Specialized Supportive Services</u>
	<u>.741 Learning Disabilities</u>
	<u>.742 Mental Health and Substance Abuse</u>
<u>.8 Good Cause</u>	
	<u>.81 Good Cause Eligibility Period</u>
	<u>.82 Examples of Good Cause</u>
	<u>.83 Documentation Requirement</u>
	<u>.84 Multiple Good Cause Requests</u>
413	<u>DECISION CHARTS</u>
	<u>.1 Evaluation of Possible Exemption</u>
	<u>.11 Evaluation of Exemption Pre-Appraisal Decision Chart</u>
	<u>.12 Evaluation of Exemption Post Appraisal Decision Chart</u>
	<u>.13 Evaluation of Exemption By Case Carrying GSW Decision Chart</u>
	<u>.2 Exemption Process By Contracted Case Managers Decision Chart</u>
	<u>.3 Employment Decision Charts</u>
	<u>.31 Tracking Code 10 Exemption Decision Chart</u>
	<u>.32 Tracking Code 13 Exemption for Two Parents Decision Chart</u>
	<u>.33 GEARS Employment Data Alerts Decision Chart</u>
	<u>.4 Designated Exemption Workers' Decision Chart</u>
	<u>.5 Supplemental Security Income (SSI) Advocacy Decision Chart</u>
414	<u>EXHIBITS</u>
	<u>.1 Exhibit I - Exemption Guidelines</u>
	<u>.2 Exhibit II – Employment Tracking Codes</u>

[Back to Main Table of Contents](#)

CHAPTER 400 - EXEMPTIONS AND GOOD CAUSE

410 OVERVIEW

Individuals are automatically registered for GAIN, except when documentation or other case information indicates that they are exempt. Exempt persons are not registered for GAIN until the exemption ends, unless they volunteer to participate or when participants who are exempted for a child under 12 months of age or for subsequent children under six months of age, are scheduled for appraisal in order to give them an opportunity to volunteer. Refer to [Chapter 200, Section 210.1](#), for persons eligible to participate in GAIN. While a participant is exempted from GAIN activities, the 60-month time clock is stopped for most exemptions.

411 KEY POINTS

- The 60-month clock continues to run for participants exempted Codes [08](#), [09](#) and [12](#), and for participants with Employment Tracking Codes [10](#) and [13](#) if they are receiving more than \$10 in cash aid.
- Exemption Codes [01](#), [02](#), [04](#), [05](#), [06](#), [07](#) and [14](#) stop the 60-month clock.
- The 60-month clock is not resumed if an individual, who is currently enrolled and participating in GAIN, opts to continue participation as a volunteer.
- All exemptions must be reviewed at least annually (except [exemption Code 04](#) for persons age 60 or older). [Exhibit I - GAIN Exemption Guidelines](#), summarizes each exemption, lists the documentation requirements and provides time frames for review.
- Regular exemption guidelines are applied to timed-out participants who become eligible for exemptions prior to timing off aid.
- Time limit extenders must be granted or re-evaluated at 12-month intervals, or sooner if the condition is expected to improve at an earlier date.
- State law prohibits non-civil service employees from determining exemptions for CalWORKs participants. DPSS-designated County staff must evaluate and make a final determination on exemptions for contracted case management staff.
- An evaluation for good cause is required to identify and evaluate the potential for an exemption when participants indicate significant barriers to employment or full participation in WtW activities.
- The Designated Exemption Worker shall contact exempted participants to either extend the exemption or prepare the participant to enter the GAIN flow.
- A patient diagnosis is not required and shall not be requested for any exemption request.

CHAPTER 400 - EXEMPTIONS AND GOOD CAUSE

412 POLICY

.1 Exemption Documentation

.11 Written Third Party Documentation

This is the preferred form of documentation. The documentation must include the date that the statement is provided; name, address and phone number of the person providing the documentation; statement justifying exemption; duration of exemption; and statement that the individual cannot work or participate in GAIN. A diagnosis is not required and shall not be requested by the GSW.

.111 Where possible, it should be on appropriate letterhead. When necessary, an ABCDM 228, Applicant's Authorization for Release of Information, is obtained from the participant.

.112 CW 61, Authorization to Release Medical Information, CW 61A, Physical Capacities and/or CW 61B Mental Capacities, should be used to document medical exemption Code [05 \(Section 412.31\)](#), Code [07 \(Section 412.32\)](#) and Code [09 \(Section 412.42\)](#).

.113 The CW 61 forms and the steps to finalize the process are explained to the participant by the GSW. The explanation includes all sections of the CW 61 forms. Input from the health care professional and the participant is vital to the approval/denial of the exemption request and the development of a Welfare-to-Work plan.

.114 If the documentation received is incomplete or inconsistent with other available information, the participant or GSW must obtain additional or collateral information/documentation to resolve the issue. For approval criteria, see [Section 412.313](#).

.12 Verbal Third Party Documentation

If written third party documentation cannot be obtained, verbal third party documentation is acceptable.

The verbal documentation must be recorded via GEARS MGP screen and include the date the statement is provided; name and phone number of the person who provided the statement; reason for the exemption; duration; statement that the individual cannot work or participate in GAIN; and the name of the GSW who obtained the statement.

.13 PA 853, Affidavit

The participant's written statement on a PA 853 is acceptable as documentation on a case-by-case basis, only in the unusual circumstance that

CHAPTER 400 - EXEMPTIONS AND GOOD CAUSE

a participant or GSW is unable to obtain independent documentation of the reason for exemption.

- .131 The PA 853 must be completed in the presence of the GSW and include the reason for the exemption; anticipated duration; statement that the individual cannot work or participate in training; participant's signature and date; and GSW's signature and date.
- .132 The GSW shall document via GEARS MGPA screen the reasons for the use of the PA 853, including efforts to obtain the appropriate documentation of exemption.

.2 Age-Related Exemptions

LEADER verification is required for exemptions related to the participant's age.

.21 Code 01: Youth under Age 16

This exemption applies to a child under age 16. It is documented by CalWORKs case information obtained by the EW, which substantiates age.

Upon granting this code, the GSW must submit the exemption request by generating a GN 60016 via GEARS MNOF screen with the following message: Child is under age 16. Please verify the birth date on LEADER.

.22 Code 02: Youth Age 16 through 17, Full-Time Student

This exemption applies to an individual 16 through 17 years of age who is a full-time student, grade 12 or below, or in vocational/technical school; or has obtained a high school diploma or its equivalent, and is enrolled or planning to enroll in a postsecondary educational, vocational or technical school training program.

.221 CalWORKs case information is obtained and documented by the EW, which substantiates age and school attendance. When granting this code, the GSW must submit the exemption request by generating a GN 60016 via GEARS MNOF screen with the following message: Youth is 16/17 years old. Please verify school attendance and make any necessary corrections on LEADER.

.222 If the participant loses the Code 02 exemption by not attending school, he/she can never re-qualify for this exemption.

.23 Code 04: Age 60 or Older

This exemption applies to an individual who is age 60 or older. It is documented by CalWORKs case information obtained by the EW, which substantiates age. When granting this code, the GSW must submit the exemption request by generating a GN 60016 via GEARS MNOF screen with

CHAPTER 400 - EXEMPTIONS AND GOOD CAUSE

the following message: Individual is 60 years or older. Please verify and update LEADER with the correct age.

.24 **Code 06: 18-Year Old Child in School Full-Time (Non-Parent)**

This exemption applies to an individual who is an 18-year old non-parent in school full-time. The school verification and age of the individual is documented by CalWORKs case information. When granting this code, the GSW must submit the exemption request by generating a GN 60016 via GEARS MNOF screen with the following message: Please verify school attendance and make any necessary corrections on LEADER.

When the Code 06 exemption expires, the individual will no longer be eligible for aid and therefore, will not be called into GAIN.

.3 **60-Month Clock-Stopper Exemptions**

These exemptions stop the CalWORKs 60-month clock.

.31 **Code 05: Incapacity**

This exemption applies to an individual who has a physical or mental impairment that is expected to last at least thirty calendar days and prevents him/her from engagement in employment or other GAIN activities. To qualify for this exemption, the participant must provide a doctor's verification and be actively seeking medical treatment.

.311 **Documentation**

All incapacity exemptions will be documented by the GSW using:

- (a) The CW 61, CW 61A and/or CW 61B (if completed) and/or written or verbal statement from a health care professional (doctor of medicine, osteopathy, chiropractic, and licensed/certified psychologists) who is licensed by the state to diagnose/treat physical and mental impairments specifying the problem and duration that the participant is unable to work;
- (b) Receipt of Old-Age-Survivors and Disability Insurance (OASDI) benefits based on the individual's own disability when verified by a copy of the award letter, or written verification from Social Security; or,
- (c) Receipt of State Disability Insurance (SDI) or Worker's Compensation for the period covered by the benefit when verified by a copy of the award letter or other written verification.

CHAPTER 400 - EXEMPTIONS AND GOOD CAUSE

.312 Disability Exemptions Are Not Automatic

Physically disabled persons who can benefit from the program are not automatically excluded from GAIN participation. As appropriate, the GSW will determine, based on written documentation, whether the disabled person meets the Code [05](#) incapacity exemption.

.313 Medical Exemption Approval

A participant's medical exemption shall be approved for the length of time (up to 12 months) the health care professional indicates on the CW 61 that the participant is unable to work and is actively seeking treatment. The GSW shall review the health care provider's statements on the CW 61A and/or CW 61B (if completed), to determine how a current physical or mental condition affects the participant's ability to participate, if at all. The benefits of participation in GAIN as an exempt volunteer are discussed at each contact with a participant. If a CW 61B is completed, the participant is referred to Specialized Supportive Services (mental health) by the GSW.

The GSW shall recommend WtW activities that do not exceed the number of hours of work per day listed on the CW 61, the hours at one time or total hours during day restrictions, and do not interfere with the participant's physical/mental conditions as described on the CW 61A or 61B. Examples of WtW determinations are listed below. These examples are for guidance purposes only. The GSS shall assist the GSW in determining appropriate modifications to accommodate the participant's limitations.

- (a) The CW 61A indicates the participant can sit for at least two to four hours at one time, with no other restrictions. OAP, JCL, SIP, and VOC are feasible activities.
- (b) The CW 61A indicates the participant may sit only four total hours during the day. Modified OAP, Flex Job Club, SIP, and VOC are feasible activities.
- (c) The CW 61B indicates the participant's mental condition would interfere with his/her ability to complete a task. The participant will need a referral to either Specialized Supportive Services (mental health), and/or CWSSIAP ([Supplemental Security Income Advocacy Program \(SSIAP\)](#), Section 412.314).

.314 Supplemental Security Income Advocacy Program (SSIAP)

When a medical exemption is requested and the participant has returned the completed CW 61, CW 61A and/or CW 61B in person, the GSW will explain the services available from the CalWORKs

CHAPTER 400 - EXEMPTIONS AND GOOD CAUSE

Supplemental Security Income (SSI) Advocacy Program and give the participant the PA 4705, "Need More Money? Get What's Rightfully Yours thru SSI (Aged, Blind and/or Disabled CalWORKs Participants)" flyer.

The SSI Advocacy Program is voluntary. The participant must expect to be totally disabled for 12 months or more. The 12 months may be a combination of the current approved Code 05 with expired Code 05 months. Talking points (a) – (h) will assist in emphasizing the benefits of SSI to potentially SSI eligible participants.

- (a) DPSS SSI Advocates provide free professional SSI application assistance.
- (b) SSI provides long term, even lifetime benefits in many cases.
- (c) SSI may improve the quality of life.
- (d) SSI is a national, rather than a state program; therefore, participants can move to another state and continue to receive their benefits.
- (e) Federal cash SSI benefits may be issued to adults and/or eligible children in the same household.
- (f) SSI approval usually results in more total income for the household than CalWORKs benefits.
- (g) Adults receiving SSI are not required to participate in the GAIN program.
- (h) SSI approval creates potential eligibility for additional benefits, such as In-Home Supportive Services.

Before the conclusion of the GAIN appointment, the GSW shall contact the SSI Advocacy Supervisor (or designate) at the Glendale district office to assist the participant in obtaining an appointment. If the SSI Advocacy Supervisor is not available, the GSW shall telephone his/her back-up. The case-carrying GSW/CCM and/or the DEW shall identify their affiliation with the case when making the referral call to the SSI Advocacy Supervisor (or designate).

If the participant is not immediately interested in SSI Advocacy services, the GSW provides a copy of the PA 4705. See [Supplemental Security Income \(SSI\) Advocacy Decision Chart](#), Section 413.5.

.315 Supplemental Security Income Advocacy Mail Inquiries

When the participant has returned the completed CW 61 by mail, resulting in approval of a Code 05 medical exemption, the PA 4705 shall be mailed to the participant. The GSW shall also make at least three telephone contact attempts to recommend participation in the SSI Advocacy services using the talking points from Section .314. Please see [Supplemental Security Income \(SSI\) Advocacy Decision Chart](#), Section 413.5.

CHAPTER 400 - EXEMPTIONS AND GOOD CAUSE

.316 Supplemental Security Income Advocacy Phone Inquiries

The GSW shall use the talking points in [Supplemental Security Income Advocacy Program \(SSIAP\)](#), Section 412.314 when recommending SSI Advocacy services. If the participant's request for Code 05 exemption has been approved, the GSW shall assist the participant in obtaining an appointment with the SSI Advocacy Supervisor. If the SSI Advocacy Supervisor is not available, the GSW shall telephone his/her back-up. The GSW shall mail the participant the PA 4705. Please see [Supplemental Security Income \(SSI\) Advocacy Decision Chart](#), Section 413.5.

.32 **Code 07: Provides Continuous Care for an Ill Household Member**

This exemption applies to an individual whose presence is required because of the physical or mental impairment of another member of the same household. The person with the physical or mental impairment must show as living in the home on LEADER.

.321 This exemption is documented by the GSW using a GN 61,, and/or written or verbal statement from a physician or psychologist, which indicates:

- (a) that a household member is physically/mentally ill;
- (b) that someone is needed in the home to provide full-time care;
and,
- (c) the expected duration.

.322 The GSW must also obtain a PA 853 to specify that the individual is the only adult living in the home available to provide care and the hours of care preclude GAIN participation.

.323 Only one adult in a two-parent household can be granted the Code 07 exemption. If there is more than one adult living in the ill person's household and available, or the hours of care do not seem to preclude GAIN participation, the GSW will consult with the GSS to determine who the most feasible person to provide care is. The GSW will then document the final decision via GEARS MGPA screen.

.324 The Code 07 exemption is controlled via GEARS and reviewed based on documentation expiration date, or at least annually, whichever is less. Once the GSW determines that this exemption should be granted, the GSW requests approval from the GSS. The GSS reviews the exemption and updates the RELE (Request LEADER Exemption/Clock Stopper/Extender) screen.

.33 **Code 14: Non-parent Relative Caring for a Child Who is a Dependent or a Ward of the Court or at Risk of Being Placed in Foster Care**

CHAPTER 400 - EXEMPTIONS AND GOOD CAUSE

When granted, the Code 14 exemption stops the 60-month time clock and/or provides an extension to the 60-month time clock for participants who have exhausted their time limits.

To qualify for this exemption, a non-parent caretaker relative who is providing care for a child must meet one of the criteria described below.

.331 Dependent or Ward of the Court

The non-parent caretaker relative is caring for a child who is a dependent or ward of the court. The participant must provide proof of a Court Order; in addition, the GSW reviews with the participant the day-to-day responsibilities required for care and then determines if the responsibilities impair the participant from employment or other GAIN activities.

.332 Child at Risk of Placement in Foster Care

The non-parent caretaker relative is caring for a child who the County has determined is at a risk of placement in foster care. A child is at risk if the following criteria are met:

- (a) The caretaker and child are involved with the Department of Children and Family Services (DCFS);
- (b) The child has been placed in the caretaker's home by DCFS; or the caretaker (participant) has a Relative Placement Agreement.
- (c) The participant must provide written documentation from a DCFS Social Worker stating, "This child must be with the caretaker only" and must include the reason.

.4 Welfare-to-Work Participation Exemptions

These exemptions exempt the CalWORKs participant from mandatory participation in the GAIN Program, but do not stop the 60-month clock.

.41 Code 08: Exemption - Parent/Relative of a Child under Age of One

This exemption applies to an individual who is the parent or other relative of a child under age one who is personally providing care for the child. Only one parent in a two-parent household qualifies for this exemption. The 60-month time clock continues to run when this exemption is granted.

.411 Custodial parents under the age of 20 who do not possess a high school diploma or its equivalent do not qualify for this exemption.

.412 Cal-Learn participants, who become GAIN participants upon graduating from high school, completing their GED or obtaining their California High School Certificate, do not qualify for this exemption.

CHAPTER 400 - EXEMPTIONS AND GOOD CAUSE

- .413 Former Cal-Learn participants who did not graduate from high school, obtain their GED or obtain their California High School Certificate may qualify for Code 08 exemption if they are 20 years of age or older and have never been granted a Code 08 exemption.
- .414 The Code 08 exemption will end on the first birthday of the youngest child. The exemption remains linked to that specific child. If the exemption linked to this specific child is interrupted, the exemption will be suspended but may be resumed if reinstated before the child turns one.
- .415 Participants granted this exemption will automatically be scheduled for an Appraisal appointment every three months, as an exempt volunteer, until the child turns one.
- .416 A participant may be eligible for the Code 08 exemption only one time. The exemption will not be granted again, even if the parent/relative becomes responsible for the care of another child.
- .417 The Code 08 exemption is controlled via GEARS. However, the CalWORKs case information obtained by the EW substantiates the age of the child. Upon granting this code, the GSW must submit the exemption request by generating a GN 60016 via GEARS MNOF screen with the following message: Participant is personally providing care for (name of child) who is a child under the age of one. Please verify and update LEADER.

.42 **Code 09: Pregnancy**

This exemption applies when the County determines that participation will not readily lead to employment or that a training activity is not appropriate for a participant who has a medically verified pregnancy. The 60-month CalWORKs time clock continues to run when this exemption is granted.

- .421 If the GSW learns that the participant is pregnant and cannot work or participate in other GAIN activities, the GSW shall refer to [Medical Exemption Approval](#), Section 412.313.
- .422 Although the participant is not exempt for medical reasons, the GSW, after consulting with the GSS, may determine that participation will not lead to employment or that a GAIN activity is not appropriate. In such cases, the Code 09 exemption can be granted. The GSW is to document this determination via GEARS MGPA screen.
- .423 When a participant is both pregnant and medically incapacitated, the exemption Code [05](#) takes priority over the pregnancy exemption Code 09. If the doctor's statement establishes that the participant

CHAPTER 400 - EXEMPTIONS AND GOOD CAUSE

has a medical condition which prevents her from working or participating in WtW activities, the pregnant participant is considered incapacitated and is given a Code 05 exemption.

.424 This exemption is controlled via GEARS and reviewed by the GSW upon the expiration date of the documentation. Once the GSW determines that this exemption should be granted, the GSW requests approval from the GSS. The GSS reviews the exemption and updates the RELE (Request LEADER Exemption/Clock Stopper/Extender) screen.

.43 **Code 10: Single Parents - Working 32 Hours or More per Week and Earning at Least State or Federal Minimum Wage**

THIS IS A TRACKING CODE ONLY, DO NOT DEREGISTER! Participant is to be offered Post-Employment Services (PES). ([See Chapter 1000](#))

.431 Qualifying Employment

Code 10 applies to single parents who are working 32 or more hours per week in unsubsidized employment which is expected to last at least 30 continuous calendar days and who are earning at least the state or federal minimum wage, whichever is higher.

.432 Minimum Wage Requirement

Self-employed participants or participants compensated by commission, while not required to have minimum wage net earnings in the first six months of employment, must meet all other criteria associated with the Code 10. Examples of self-employment are child care provider, medical transcriber and mechanic.

If after six months the participant still fails to have net earnings of at least minimum wage, he/she will no longer be tracked for a Code 10 and will be required to fully participate in other GAIN activities.

- (a) A participant who works at least 32 hours a week and does not earn at least minimum wage is to be encouraged to attempt to have his/her salary increased. If the salary can be increased to at least minimum wage, the participant can be exempted Code 10 and receive Post-Employment Services.
- (b) A participant who cannot increase his/her salary to at least minimum wage shall be encouraged to rearrange working hours in order to retain employment and must fully participate in GAIN.
- (c) The six-month minimum wage requirement applies to self-

CHAPTER 400 - EXEMPTIONS AND GOOD CAUSE

employment and compensation by commission only. Employers are legally required to pay minimum wage. Therefore, the six-month rule does not extend to regular unsubsidized employment.

.433 Self-Employment

Self-employed participants and participants compensated by commission:

- (a) The minimum wage provisions are applied after the first six months of self-employment, or employment compensated by commission, although the participant will be tracked by the GSW as a Code 10 exemption. The six-month period starts from the time the individual first becomes self-employed, or obtains employment compensated by commission.
- (b) Self-employment is identified on GEARS by entering the participants name followed by "Self-Employed" in the "employer name" field. If the participant is compensated by commission, after input of the employers' name, the GSW should further input, dependent upon available space, "compensated by commission," or "Comp.Com."

.434 Net Earnings Calculation for Self-Employment

To determine net earnings, the participant has the choice of: a) deducting 40% from gross earnings for expenses, or b) deducting verified actual business expenses from gross earnings. The participant must use the same method as selected in and reported to the CalWORKs office.

.435 Adding New Employment to GEARS

GEARS is updated to add the Code 10 exemption and EIC component only after the participant has started work.

- (a) The Code 10 exemption is updated on GEARS after the participant has started work. If the participant is currently working but the LEADER budget does not reflect earnings data, the GSW obtains documentation based on an employer's written or verbal statement as to the employment hours and start date.
- (b) The actual report date (not the date of hire) is to be verified prior to notifying eligibility staff of the participant's employment. The GSW notifies the EW, via the GAIN Services Coordinator, that a Code 10 exemption has been updated and forwards the

CHAPTER 400 - EXEMPTIONS AND GOOD CAUSE

documentation to the EW via a GN 60013.

- (c) GEARS is updated only after it has been verified that the participant has started work. When this has been done, the EW is notified. Once it is verified that a participant is employed, the GSW must offer PES. ([See Chapter 1000](#))
- (d) GEARS is updated to add the Earned Income Component (EIC) whenever the participant requests supportive services for verified employment.

.436 Transfer of CalWORKs Participant's Employment Information from LEADER to GEARS

The LEADER Employment Selection (SLEM) and Inquire LEADER Employment (ILEM) screens on GEARS are information only screens to alert the GSW of participant employment information provided to eligibility staff. These screens capture and display data transmitted from the EW via LEADER.

Neither the SLEM nor ILEM screens are linked to the Participant Employment Selection (IEPL) and Employment Placement/Maintenance (MEPF) GEARS screens used for employment tracking. Refer to [Chapter 1000](#) for processing of employment tracking exemption Codes [10](#) and [13](#).

- (a) GEARS screen, SLEM, displays the history of employment records.
- (b) GEARS screen, ILEM, is accessed from the SLEM screen; this screen displays the detailed employment information of a selected employment record.
- (c) GSWs receive an alert whenever LEADER transmits employment information to GEARS requiring verification of new employment or the end date of an existing employment.

.44 **Code 12:** Limited Exemption - Parent/Relative of a Child under Age Six Months

This exemption applies to an individual who has previously received exemption Code [08](#) and then becomes responsible, as a result of birth or adoption only, for the personal care of a child under six months of age. The 60-month CalWORKs time clock continues to run when this exemption is granted.

- .441 Code 12 is a limited exemption granted for six months from the date of birth or date of adoption. However, a participant granted this exemption will be automatically scheduled for an [Appraisal](#)

CHAPTER 400 - EXEMPTIONS AND GOOD CAUSE

appointment, as an exempt volunteer, once the child turns three months old. At the Appraisal appointment, the GSW will inform the participant of the 60-month time limit and encourage the participant to volunteer. Interruptions in responsibility for care of the child will suspend the exemption, but it will be reinstated if care is resumed before the expiration date.

.442 This exemption will be controlled via GEARS. As GEARS tracks information required to establish whether a Code [08](#) exemption was previously granted. If so, GEARS will determine that only a Code 12 can be granted. However, it is the CalWORKs case information on LEADER that establishes the child's age and relationship to the caretaker.

.45 **Code 13: Working 35 Hours or More per Week and Earning at Least State or Federal Minimum Wage**

THIS IS A TRACKING CODE ONLY, DO NOT DEREGISTER!
Participant(s) is/are to be offered [PES](#).

The Code 13 exemption applies to two-parent households who are working 35 or more hours per week in unsubsidized employment which is expected to last at least 30 days, and who are earning at least State or federal minimum wage, whichever is higher. The 35-hour requirement can be met by one parent or both parents.

All other provisions of Exemption Code [10](#) apply to the Code [13](#) with the exception that a two-parent household must meet the 35-hour per week requirement.

.5 **Exemption Guidelines**

Participants complete the CW 2186A, CalWORKs Time Limit and Welfare-to-Work Participation Exemption Request Form. The GSW shall then provide/mail the CW 2186B, CalWORKs and Welfare-to-Work Time Limit Determination to the participant. If a participant is granted an exemption, he/she shall be encouraged to participate as an exempt volunteer. The aforementioned actions shall be documented via GEARS MGPA screen.

The exempt volunteer must agree to complete the activities on the WtW2, Welfare-to-Work Plan Activity Assignment. If the exempt volunteer stops participating without good cause, he/she may be subject to the compliance process and exclusion from participation up to six months. The County may decide that the exempt volunteer had a good reason for not participating. The 20-hour core activity and the 32/35 hour per week rules do not apply to exempt volunteers.

.51 **Exemption Processing**

CHAPTER 400 - EXEMPTIONS AND GOOD CAUSE

The LEADER system determines all exemptions (except for employment tracking Codes [10](#) and [13](#)) based on updates made on LEADER and GEARS.

.511 Exemption Responsibilities

- (a) Eligibility Workers (EWs) gather and enter data on LEADER (Codes [01](#), [02](#), [04](#) and [06](#)) which may result in an exemption.
- (b) GSWs determine whether exemption Codes [05](#), [07](#), [08](#), [09](#), [12](#), and [14](#) will be granted or denied.
- (c) GSSs are responsible for the exemption approval and update of GEARS screen RELE (Request LEADER Exemption/Clock Stopper/Extender).

.512 LEADER Employment Information Transfer to GEARS

The participant's employment information entered in LEADER by the Eligibility Worker (EW) is transmitted to GEARS and captured for display in GEARS Screens Leader Employment Selection (SLEM) and Inquire LEADER Employment (ILEM). The GSW:

- (a) Receives a GEARS alert whenever a change in the participant's employment information is transmitted from LEADER to GEARS.
- (b) Takes appropriate action required to verify new employment or end employment as reported by LEADER.

.52 Exemption Processing for GAIN Contractors

CCMs, as non-civil service employees, are prohibited from determining Welfare-to-Work exemptions. Therefore, the CCM gathers information needed to make recommendations to designated GAIN staff on the participant's exemption request.

GAIN CCMs request exemptions and/or good cause rulings from County staff for participants via the GN 6164, Potential Exemption Gram. Within two work days of receiving the GN 6164 from the CCM, the designated County designated GSW grants or denies the request. See the [Exemption Process By Contracted Case Managers Decision Chart](#), Section 413.2.

.53 Exemption Processing for Refugee Employment Program (REP) Contractors

REP CCMs request exemptions and/or good cause rulings from County staff for participants via the GN 6156, REP Exemption Recommendation

CHAPTER 400 - EXEMPTIONS AND GOOD CAUSE

Gram. ([See Chapter 1700](#))

.6 Expiring Exemptions

After an exemption expires, the participant is scheduled for a new Appraisal Appointment. Although the participant is mailed an Orientation/Appraisal Appointment Letter and Information packet (refer to [Chapter 500 – Appraisal](#)), the next GAIN activity is determined by the last GAIN activity completed prior to exemption.

.61 Designated Exemption Worker (DEW) Outreach

To ensure GAIN participants receive the information and guidance needed to extend their exemption or to begin/resume GAIN participation:

.611 The DEW from each Region shall receive the monthly listing of participants with expiring exemptions.

.612 The listing is used by the DEW to contact participants to discuss the need for a further exemption.

(a) If the participant is eligible for further exemption, the benefits of participating as an exempt volunteer shall be explained. GSWs shall inform participants of the services available through the Supplemental Security Income (SSI) Advocacy Program as appropriate. See [Supplemental Security Income Advocacy Program \(SSIAP\)](#), Sections 412.314-.316, and [Supplemental Security Income \(SSI\) Advocacy Decision Chart](#), Section 413.5.

(b) If the participant is no longer eligible for an exemption, or wishes to participate as an exempt volunteer, guidance shall be provided for successful GAIN participation. For example, the DEW will arrange the intake appointment. If Specialized Supportive Services are requested, the DEW shall arrange a Specialized Supportive Services appointment and refer the participant to the 211 Information Line when an immediate need is indicated.

(c) Confirm addresses and telephone numbers.

.62 GEARS Updates

The DEW updates GAIN case records for participants with expiring exemptions prior to GAIN enrollment using a specialized limited GEARS profile. The DEW GEARS profile allows specific access to the following GEARS screens: Request LEADER Exemption/Clock-Stopper/Extender (RELE), Maintain Participant Registration (MPRS), and Maintain Case Address and Phone (MCAP).

CHAPTER 400 - EXEMPTIONS AND GOOD CAUSE

- .621 Contractors refer to County designated staff for continued exemption requests See [.52 Exemption Processing for GAIN Contractors](#) and [Exemption Process By Contracted Case Managers Decision Chart](#), Section 413.2.

.7 Time Limit Extender

Parents, aided stepparents, and/or caretaker relatives residing in the home, may be eligible for time limit extenders after exhausting their 60-month time limit when they meet one of the extender criteria.

.71 Extender Criteria:

- .711 Providing care for an ill or incapacitated household member ([see Code 07](#)) that prevents the participant from working or participating in WtW activities;
- .712 Domestic Violence see ([Chapter 1200](#));
- .713 Age 60 years or older ([see Code 04](#));
- .714 Non-parent relative caring for a child who is a dependent or ward of the court, or at risk of placement in foster care ([see Code 14](#));
- .715 Not in the Assistance Unit for any reason other than reaching the 60-month time limit;
- .716 Disabled and receiving disability-based income or services such as State Disability Insurance, Workers Compensation, Temporary Disability Insurance, In-Home Supportive Services, or the State Supplementary Program; Social Security disability based; and/or,
- .717 Unable to maintain employment or participate in WtW activities and has a history of full cooperation in WtW activities.

.72 Domestic Violence

Participant signs the GN 6196, Domestic Violence Waiver form, if he/she self-declares to be a victim of domestic violence. If the participant chooses to access services, the 60-month time clock is extended once Services 002 component is added to GEARS.

When the participant self-declares to be a victim of domestic violence and chooses not to sign the GN 6196, the GSW processes the exemption/extender request and submits it to the GSS for GEARS screen RELE update to extend the 60-month clock. ([See Chapter 1200](#))

.73 Time Limit Exemption/Extender Review

CHAPTER 400 - EXEMPTIONS AND GOOD CAUSE

Upon receipt of a CW 2186A requesting a time extender/exemption, staff must request and review the documentation to determine if a participant is eligible for a time-limit extender or an exemption. Some extenders may qualify as exemptions that stop the 60-month time clock. Other extenders allow the participant to receive CalWORKs cash assistance beyond the 60 months.

.731 Time Limit Liaison

The responsibilities of the Time Limit Liaison include, but are not limited to:

- (a) GEARS updates to Select Requested LEADER Exemptions (SREL) and Enhanced Request LEADER Exemption/Clock Stopper/Extender (RELE) screens for the automated request of LEADER 60-month clock adjustments of time limit Extenders, and retroactive exemptions;
- (b) Review of GEARS screen RELE and LEADER screens;
- (c) Review of forms used to request and approve time limit extenders;
- (d) Working with the GAIN Coordinator to resolve GEARS/LEADER interface issues.

.732 Records Retention

- (a) Forms used to track the participant's time on aid, and documents supporting or verifying extenders and exemptions are retained permanently in the participant's case record folder. These forms include, but are not limited to the:
 - (1) GN 6188, Time Limit Review Gram;
 - (2) CW 2186A, CalWORKs Time Limit and Welfare to Work Participation Exemption Request Form;
 - (3) CW 2186B, CalWORKs and Welfare to Work Time Limit Exemption Determination; and
 - (4) PA 4026, Time Limit Inquiry Request.
- (b) Case records, forms, and documents used and obtained for time limit reviews that result in denial of extenders and exemptions, or a Fair Hearing are retained for three years after the approval/denial date. These forms include, but are not limited to the:
 - (1) GN 6186, 60-Month Time Limit Review and Exemption Request;

CHAPTER 400 - EXEMPTIONS AND GOOD CAUSE

- (2) GN 6189, 60-Month Time Limit Review and Exemption request; and
- (3) GN 6331, Request for Review of Months Counted Toward the 60-Month Time Limit.

Case records and supporting documents obtained during the time limit review resulting in a denial are retained longer than three years when/if those documents are reviewed in a state or federal audit.

- (c) Access to non-privileged case records should be granted upon the request of the participant ([See Chapter 1300](#), Compliance and Participant Complaints).

.733 Elimination of Records

Documents used for a time limit review or time limit workshop, but not used for the approval of a time limit extender or exemption, may be destroyed three years from the denial date.

.74 Time Limits on Specialized Supportive Services

Extenders for participants receiving mental health and substance abuse services must be evaluated at the end of the Specialized Supportive Services component, in consultation with the appropriate service provider. ([See Chapter 1200](#))

.741 Learning Disabilities

Participants with diagnosed or self-declared [Learning Disabilities \(LD\)](#) are eligible for extenders until they are able to maintain employment. Therefore, participants with LD can be approved for 12-month extenders that must be re-evaluated every twelve months.

.742 Mental Health and Substance Abuse

Participants in mental health and substance abuse activities are extended until the end of their component. For example, if a participant was enrolled in a services component until September 2005, and the 60-month time clock expired in June 2005, the extender must be re-evaluated prior to the component expiration date, which is less than twelve months.

.8 Good Cause

The good cause determination is an important part of the non-compliance process. It provides an opportunity for the participant to present information relevant to the issue of non-participation and can often lead to resumed participation and the

CHAPTER 400 - EXEMPTIONS AND GOOD CAUSE

avoidance of a sanction. The participant must be given an opportunity to establish good cause for failing to comply with program requirements prior to being GAIN sanctioned.

.81 Good Cause Eligibility Period

Good Cause may be granted in 30-day intervals; determinations must be reviewed at least every 30 days and may be extended for a total of 90 days. GSWs/CCMs are required to explain the Good Cause and compliance processes at the first point of contact.

.82 Examples of Good Cause

.811 Homelessness

.812 Temporary Illness (less than 30 days)

.813 Temporary Medical Illness of Child/Family Member

.814 Court Appearances/Legal Difficulties

.815 Death in Family

.816 Severe Family Crisis

.817 Breakdown of Transportation and/or Child/care Arrangements (case-by-case basis)

.83 Documentation Requirement

Standard documentation (i.e., affidavit, written or verbal third party documentation) requirements apply to all good cause reasons, including substantial and compelling/other good cause reasons.

.84 Multiple Good Cause Requests

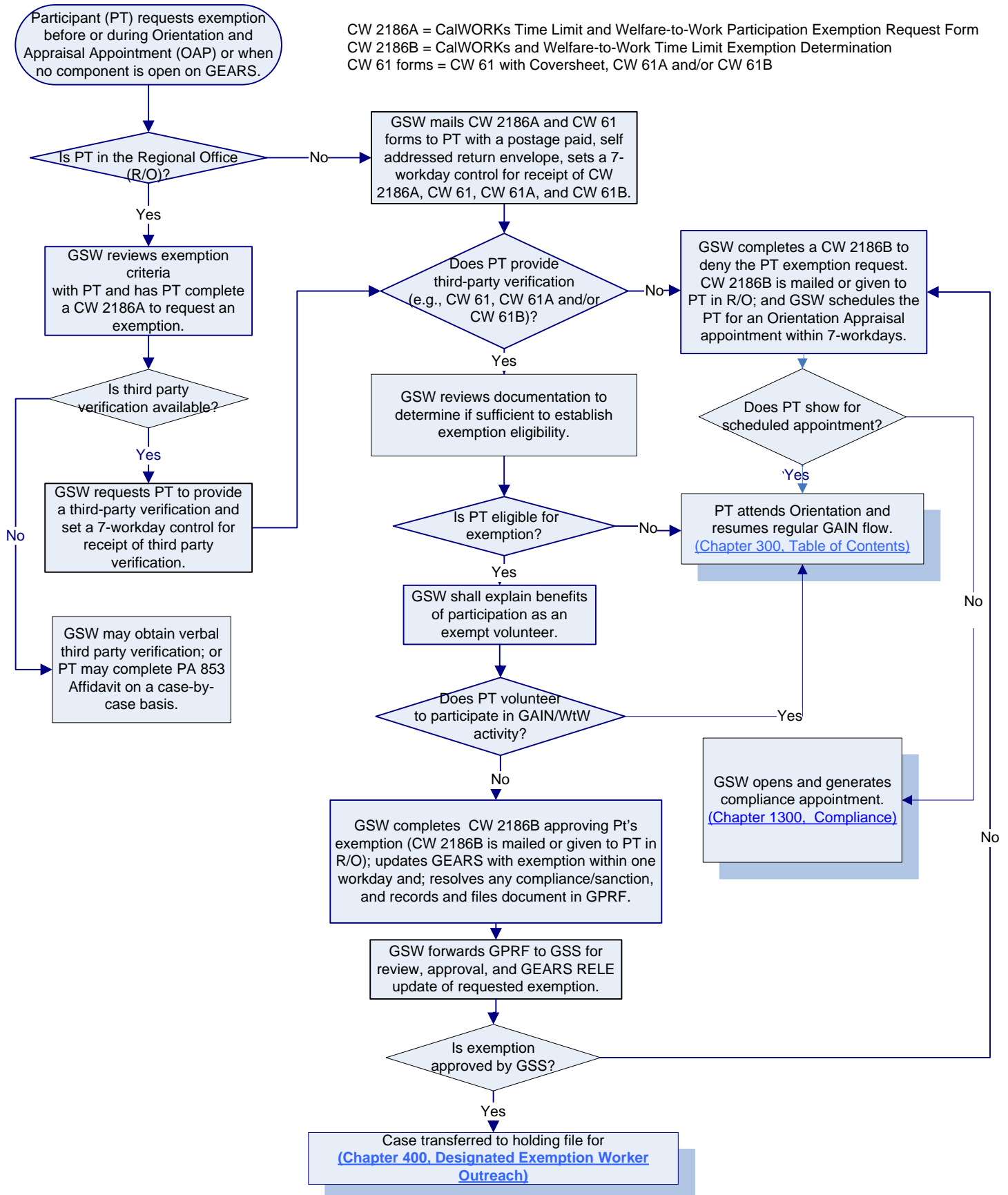
Multiple requests for Good Cause because of [Incapacity](#) (Code 05) or [Caring for an Ill Household Member](#) (Code 07) will require the GSW to contact the participant's health care provider. If the total expected duration exceeds 29 days, an exemption may be granted.

The retroactive exemption period is the first day of the first exemption request. The exemption end date is the last date verified with the health care provider.

413 DECISION CHARTS

.1 Evaluation of Possible Exemption

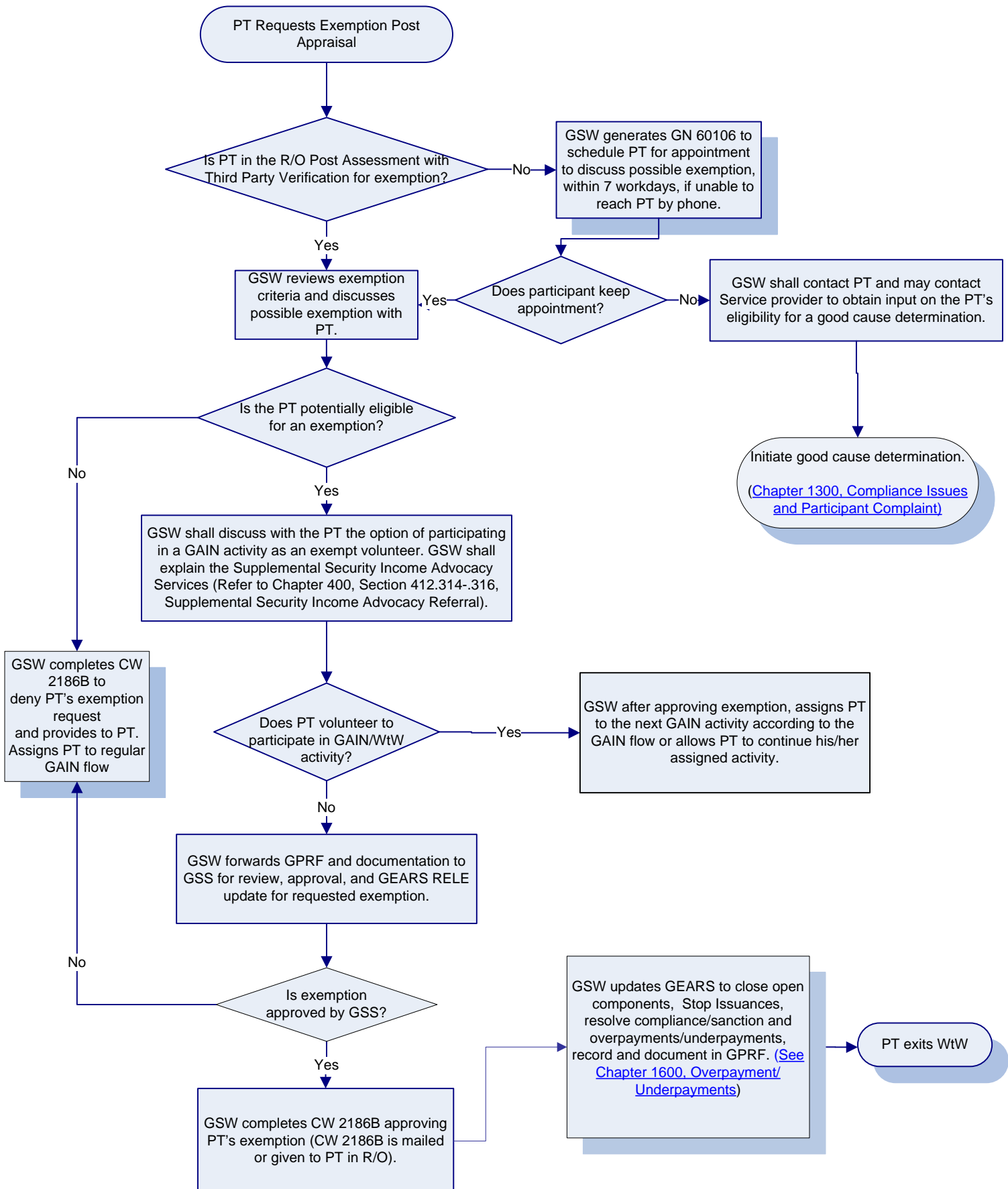
.11 Evaluation of Exemption Pre-Appraisal Decision Chart



CHAPTER 400 - EXEMPTIONS AND GOOD CAUSE

413.1 [Evaluation of Possible Exemption](#)

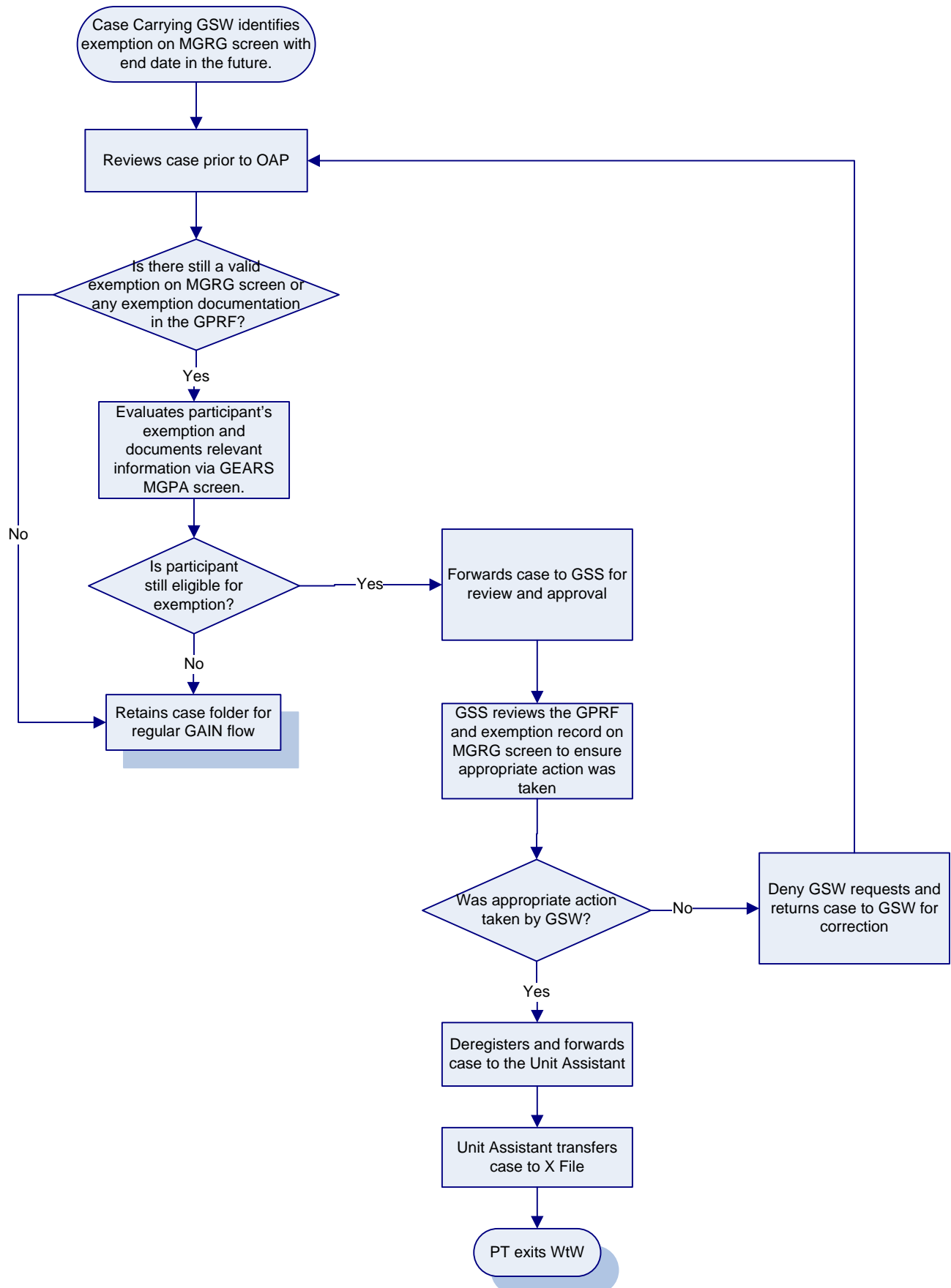
.12 [Evaluation of Exemption Post Appraisal Decision Chart](#)



CHAPTER 400 - EXEMPTIONS AND GOOD CAUSE

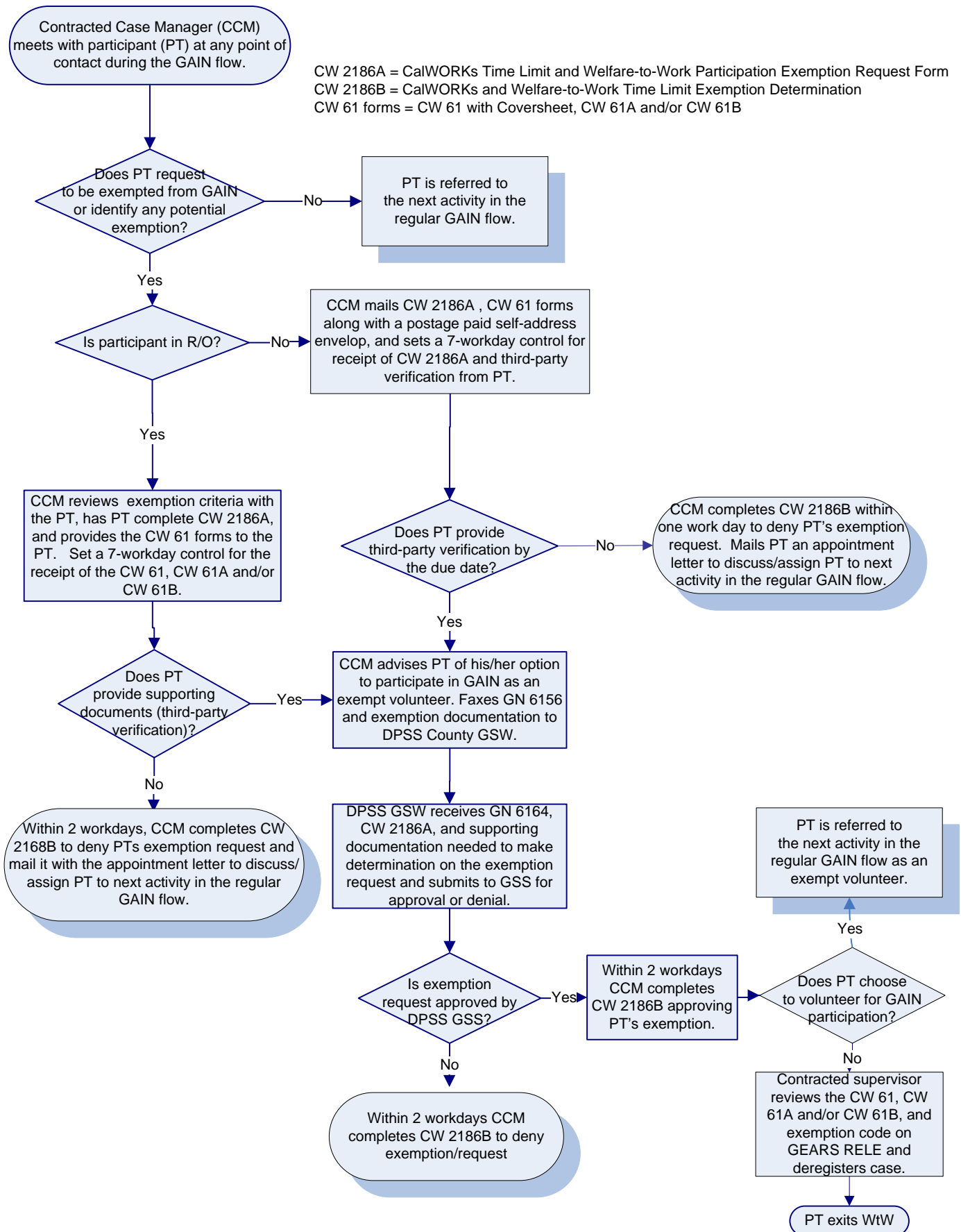
413.1 [Evaluation of Possible Exemption](#)

.13 [Evaluation of Exemption By Case Carrying GSW Decision Chart](#)



CHAPTER 400 - EXEMPTIONS AND GOOD CAUSE

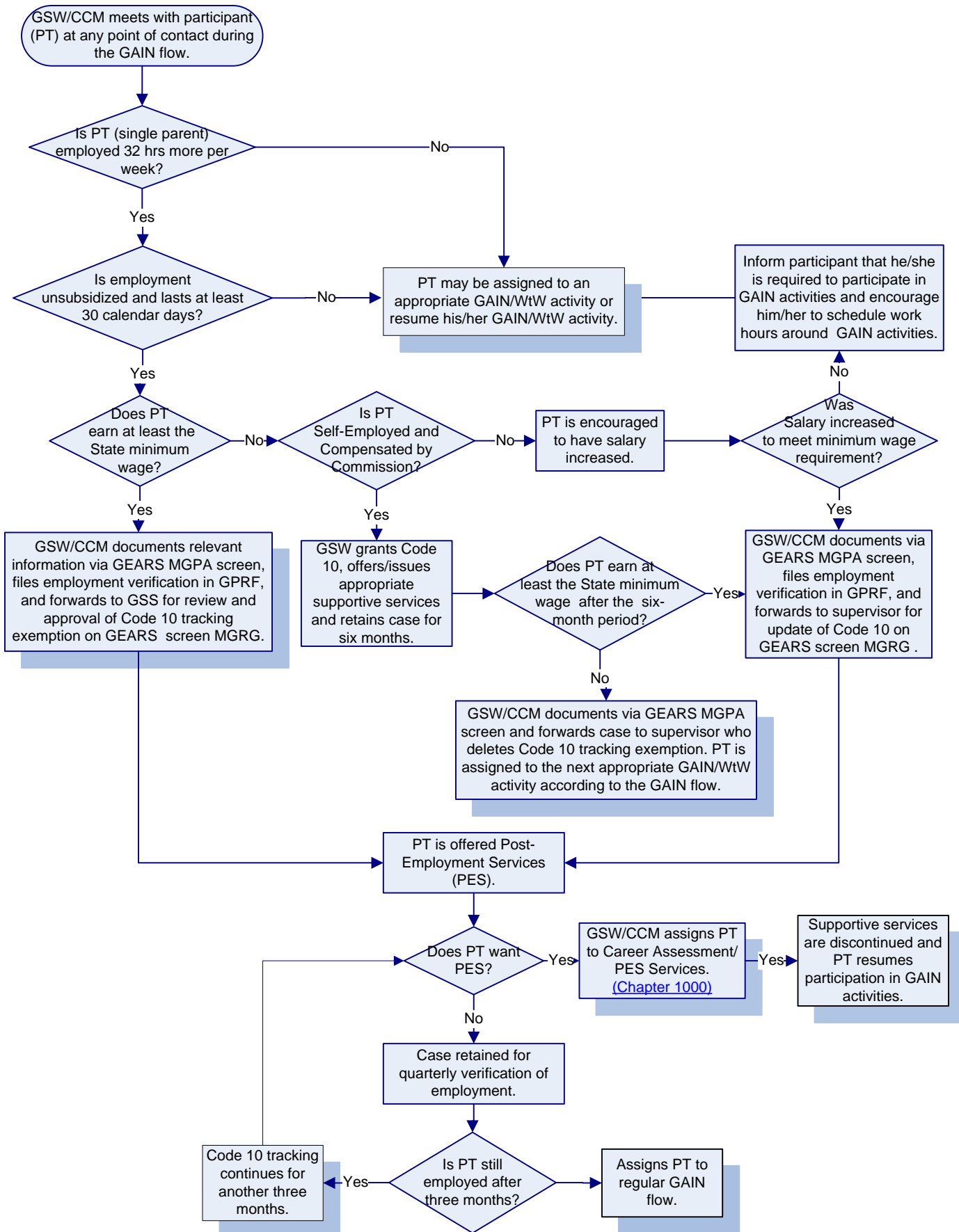
413.2 Exemption Process By Contracted Case Managers Decision Chart



CHAPTER 400 - EXEMPTIONS AND GOOD CAUSE

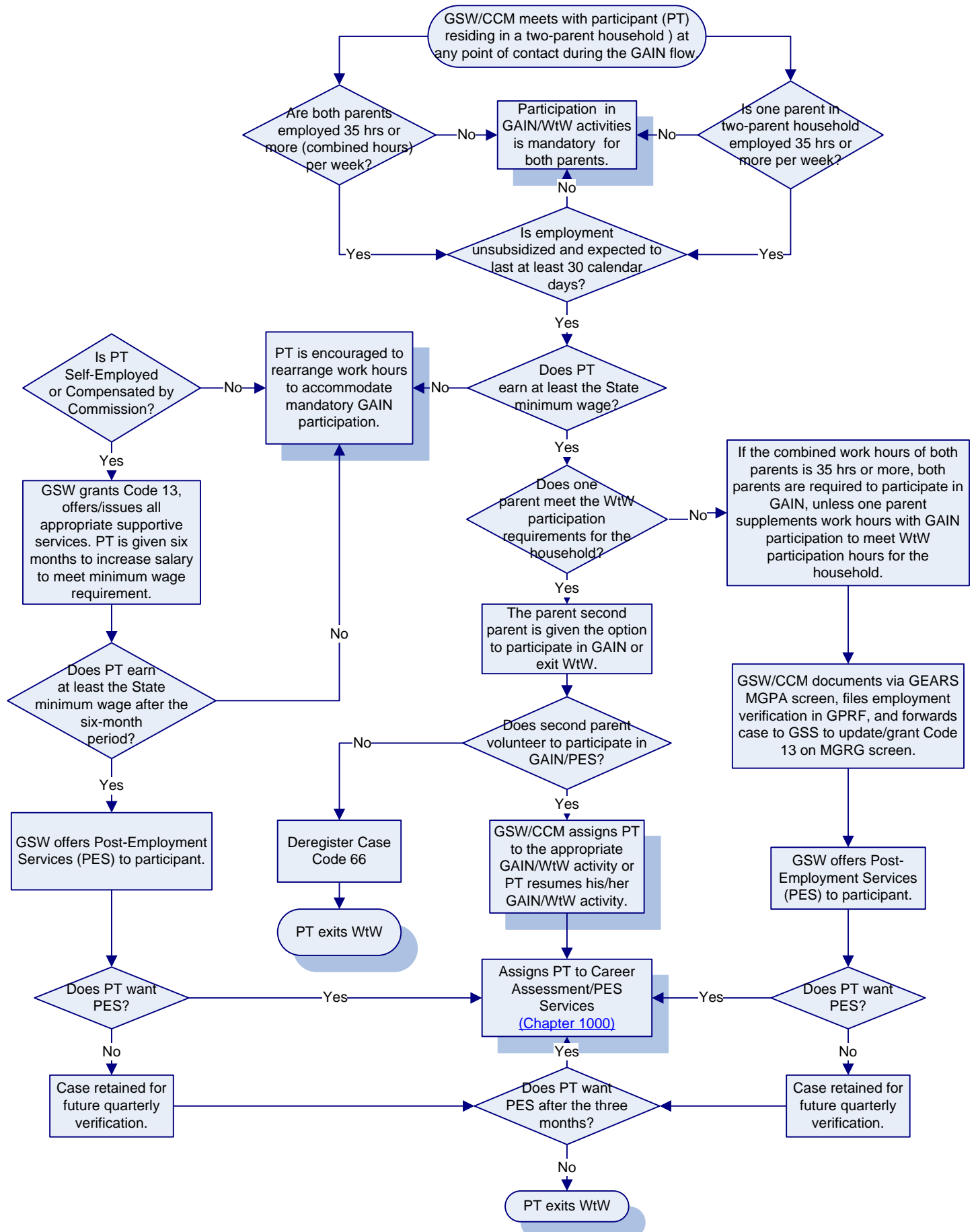
413.3 Employment Decision Charts

.31 Tracking Code 10 Exemption Decision Chart



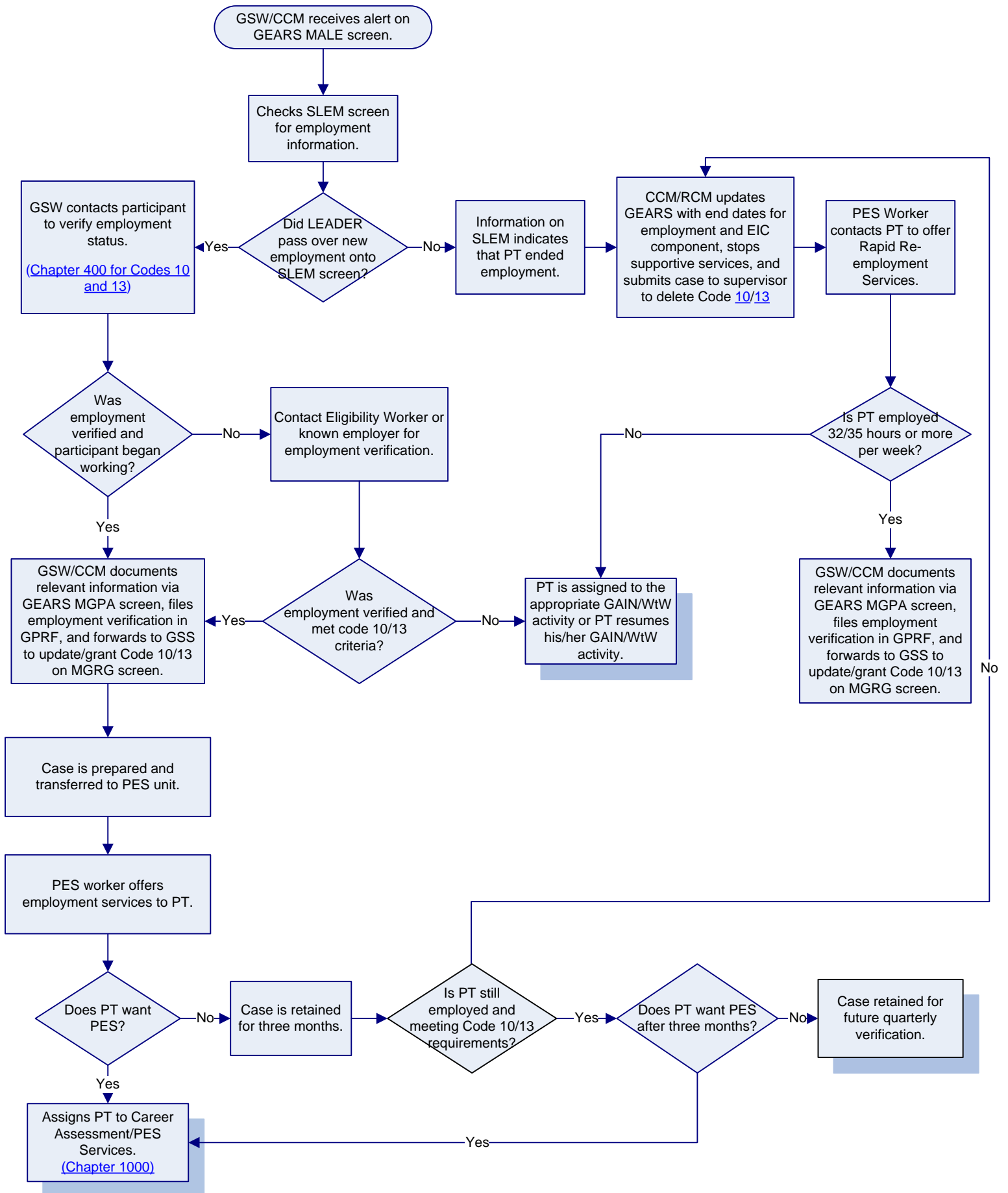
CHAPTER 400 - EXEMPTIONS AND GOOD CAUSE

413.32 Tracking Code 13 Exemption for CalWORKS Two Parents Decision Chart



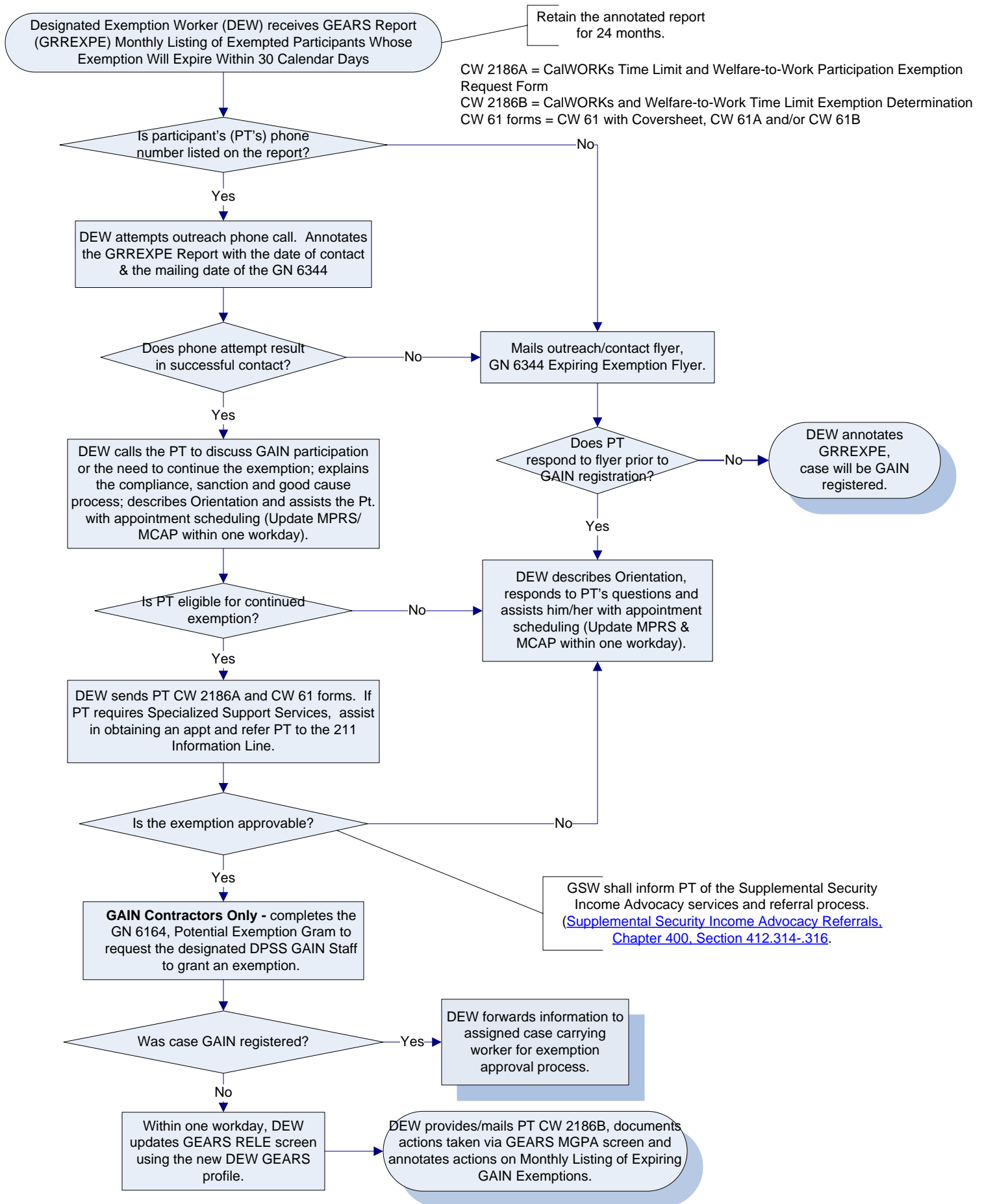
CHAPTER 400 - EXEMPTIONS AND GOOD CAUSE

413.33 [GEARS Employment Data Alerts Decision Chart](#)



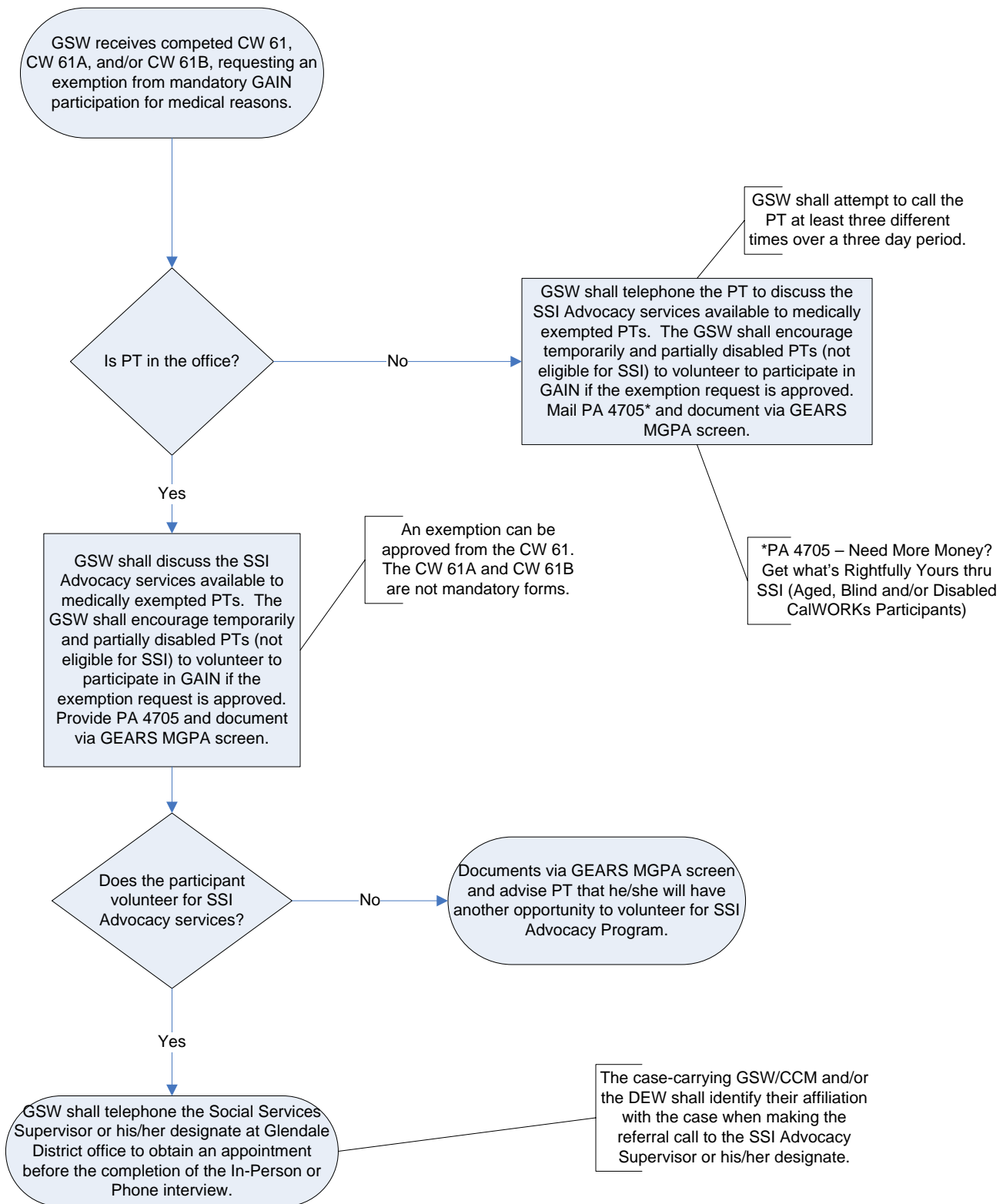
CHAPTER 400 - EXEMPTIONS AND GOOD CAUSE

413.4 Designated Exemption Workers' Expiring Exemption Decision Chart



CHAPTER 400 - EXEMPTIONS AND GOOD CAUSE

413.5 Supplemental Security Income (SSI) Advocacy Decision Chart



CHAPTER 400 - EXEMPTIONS AND GOOD CAUSE

414 EXHIBITS

.1 Exhibit I - GAIN EXEMPTION GUIDELINES

Code	Definition	Documentation Requirements	Review Time Frames	Comments/Special Action
01	Youth under age 16	The CalWORKs case information obtained by the EW and input to LEADER which substantiates age.	Reviewed monthly via LEADER.	
02	Youth age 16-17 full-time student	The CalWORKs case information obtained by the EW and input to LEADER which substantiates age and proof of school attendance.	Reviewed monthly via LEADER.	If the participant loses this exemption it cannot be reapplied.
04	Age 60 or older	The CalWORKs case information obtained by EW and input to LEADER which substantiates age.	No review is required.	
05	Incapacity Applies to an individual who is seeking treatment for a physical or mental impairment	<p>The CalWORKs case information is obtained and input to LEADER by EW documenting incapacity.</p> <p>GSW obtains:</p> <ul style="list-style-type: none"> ▪ CW 61, CW 61A and/or CW 61B (the CW 61 Coversheet must be provided to the PT along with the CW 61), or ▪ Statement from physician, psychologist or authorized staff member which includes: <ul style="list-style-type: none"> ○ the date the statement is provided; ○ name, address and phone number of person providing the documentation; ○ a statement as to the reason for exemption; and ○ the duration, <p>or</p> <ul style="list-style-type: none"> ▪ Verification of receipt of: <ul style="list-style-type: none"> ○ Old-Age-Survivors and Disability Insurance (OASDI) benefits based on the individual's own disability when verified by a copy of the award letter, or State Disability Insurance (SDI) or ○ Worker's Compensation. 	<p>Reviewed monthly via LEADER screen when assigned by LEADER.</p> <p>Controlled via GEARS whenever assigned by the GSW. Reviewed based on expiration date of documentation, or at least annually, whichever is less.</p>	<p>Referred to the Department of Rehabilitation by the CalWORKs staff.</p> <p>The participant with an exemption end date of 12 months or more or when past exemption code 5 months are combined with the correct request is 12 months or more or the participant has a permanent condition must be informed by the GSW of the SSI Advocacy referral process.</p>

CHAPTER 400 - EXEMPTIONS AND GOOD CAUSE

06	18 years old, in school full-time	CalWORKs case information obtained by the EW and input to LEADER which substantiates age and proof of school attendance.	No review is required.	
07	Provides continuous care for ill household member	<p>GSW obtains:</p> <ul style="list-style-type: none"> ▪ CW 61 (the CW 61 Coversheet must be provided to the PT along with the CW 61), or ▪ Statement from a physician, psychologist or authorized staff member stating that: <ul style="list-style-type: none"> ○ the household member is physically/mentally ill, ○ someone is needed in the home to provide care, and ○ expected duration: <p>AND</p> <ul style="list-style-type: none"> ○ If there is more than one adult in the household, a PA 853 which specifies that the individual is the only adult living in the home available to provide care and the hours of care will preclude participant from GAIN participation. 	Controlled via GEARS and reviewed based on the expiration date of the documentation or at least annually, whichever is less.	The GSW will review day-to-day responsibilities with the participant to determine if he/she will be unable to participate in GAIN.
08	<p>Full Exemption-Parent or relative of child under one.</p> <p>NOTE:</p> <ul style="list-style-type: none"> ▪ Parent/relative must be personally providing care for the child. ▪ Only one parent in a two-parent household can be given this exemption. 	<p>CalWORKs case information obtained by the EW and input to LEADER which substantiates the child's age and relationship to the caretaker.</p> <ul style="list-style-type: none"> ▪ May be granted only one-time. ▪ Linked to a specific child. 	Reviewed by the GSW every three months at an automatically scheduled Appraisal appointment.	<p>At the Appraisal appointment the GSW will determine if the participant wants to volunteer.</p> <p>Former Cal-Learn participants do not qualify for this exemption.</p>
09	Pregnant and disabled participants due to pregnancy. Applies to women who are pregnant and cannot work or participate in a training program while pregnant.	<p>GSW obtains:</p> <ul style="list-style-type: none"> ▪ CW 61, CW 61A and/or CW 61B (the CW 61 Coversheet must be provided to the PT along with the CW 61), or ▪ Statement from a physician which includes: <ul style="list-style-type: none"> ○ verification of pregnancy ○ verification of disability during pregnancy ○ expected delivery and recovery dates. 	Controlled via GEARS and reviewed based on expected delivery dates.	The GSW can grant this exemption if he/she determines that although the participant is not disabled during pregnancy, participation will not lead to employment or training is not appropriate.

CHAPTER 400 - EXEMPTIONS AND GOOD CAUSE

.2 EXHIBIT - II EMPLOYMENT TRACKING CODES

Code	Definition	Documentation Requirements	Review Time Frames	Comments/Special Action
10	Single Parent working 32 hours or more per week.	<p>If individual is currently working:</p> <ul style="list-style-type: none"> ▪ documented by CalWORKs case information obtained by the EW and input to LEADER which substantiates employment hours, or ▪ GSW obtains documentation based on employer's written or verbal statement as to the employment hours and start date, and shares this with EW. ▪ If the participant has not yet started work, GSW obtains documentation based on employer's written or verbal statement as to the employment hours and start date, and share this with the EW. 	When this tracking code is entered on GEARS by GSW, it is reviewed after 3 months by the GSW, prior to deregistering.	This code is a tracking code. The participant will be offered Post-Employment Services while employed.
13	Two Parent household, CalWORKs-U case, working 35 hours per week.	The verification process for Code 13 is the same as for code 10.	Reviewed after 3 months by the GSW, prior to deregistering.	This code is a tracking code. The participant will be offered Post-Employment Services while employed.